

1
2 BILL NO. ^R S-77-05-²⁷₁₄

24-77
Resolution No. ~~R-77-24~~
SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving Fort Wayne
Redevelopment Commission's
Resolution No. 77-14 for the
Old Drug Building Renewal Project.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
8 OF FORT WAYNE, INDIANA:

9 SECTION 1. That Resolution No. 77-14, Declaratory
10 Resolution Old Drug Building Renewal Project adopted by the
11 Fort Wayne Redevelopment Commission on April 11, 1977 and
12 approved by the City Plan Commission on April 25, 1977, all
13 as more particularly set forth in said Resolution No. 77-14
14 on file in the Office of the Fort Wayne Redevelopment Commission
15 and is by reference incorporated herein, made a part hereof
16 and is hereby in all things ratified, confirmed and approved.

17 SECTION 2. This Ordinance shall be in full force
18 and effect from and after its passage and approval by the Mayor.

20
21 Virginia L. Schmidt
22 Councilman

23
24
25
26 APPROVED AS TO FORM
27 AND LEGALITY.
28 Mc
29 CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____ at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~lost~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	<u>1</u>		
<u>BURNS</u>			<u>✓</u>		
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>	<u>✓</u>				
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 5-10-77

Charles W. Whittemore
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. 24-77 on the 10th day of May, 1977
ATTEST: (SEAL)

Charles W. Whittemore
CITY CLERK

John Guckels
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1977 at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Whittemore
CITY CLERK

Approved and signed by me this 16th day of May, 1977,
at the hour of 2:30 o'clock P M., E.S.T.

Rahel Elamstrong
MAYOR

Bill No. R-77-05-27

REPORT OF THE COMMITTEE ON Regulations

We, your Committee on Regulations to whom was referred an Ordinance

AN ORDINANCE approving Fort Wayne Redevelopment Commission's Resolution No.

77-14 for the Old Drug Building Renewal Project

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

Vivian G. Schmidt, Chairman

Winfield C. Moses, Vice Chairman

Bill Hinga

Donald Schmidt

Sam Talarico

Vivian G. Schmidt
Winfield C. Moses
"Bill" William T. Hinga
D. Schmidt
Samuel J. Talarico

5-10-77 CONCURRED IN
DATE CHARLES W. WEST, CLERK



THE CITY OF FORT WAYNE

April 27, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to Fort Wayne Redevelopment Commission's RESOLUTION NO. 77-14 / DECLARATORY RESOLUTION OLD DRUG BUILDING RENEWAL PROJECT.

The Commission found that the above mentioned project was in conformance with the Master Plan of the development of the City of Fort Wayne.

The Commission approved this project at their regular meeting held April 25, 1977, and is forwarding this RESOLUTION to the Common Council for introduction and action.

If there are any questions with regard to this resolution, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Joseph N. Adair
Secretary



RESOLUTION OF THE
FORT WAYNE CITY PLAN COMMISSION

The City Plan Commission of the City of Fort Wayne in regular session on April 25, 1977, having before it a copy of the "Fort Wayne Redevelopment Commission's Declaratory Resolution - Old Drug Building Project" adopted by the Redevelopment Commission on April 11, 1977, together with the Urban Renewal Plan referred to therein and the necessary supporting data and all of which having been duly considered, the Fort Wayne City Plan Commission upon motion by Joseph Adair, seconded by Gretchen Wiegel, and unanimously approved, adopted the following resolution:

WHEREAS, the Fort Wayne Redevelopment Commission has submitted to the Fort Wayne City Plan Commission a Declaratory Resolution adopted by the Fort Wayne Redevelopment Commission on April 11, 1977, designated as "Declaratory Resolution - Old Drug Building Project", together with the Urban Renewal Plan referred to therein and supporting data all as required by the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and said Declaratory Resolution and Urban Renewal Plan having been duly considered by the Fort Wayne City Plan Commission and found to be in conformance with the Master Plan of Development for the City of Fort Wayne;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that said Declaratory Resolution - Old Drug Building Project and said Urban Renewal Plan conform to the Master Plan of Development for the City of Fort Wayne and said Declaratory Resolution and Urban Renewal Plan are accordingly hereby approved.

Vice

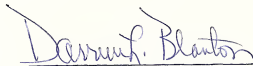
BE IT FURTHER RESOLVED that the/President of this Commission be and he is hereby authorized to deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the City of Fort Wayne a certified copy of this resolution which shall constitute the approving order of the Fort Wayne City Plan Commission as required by law approving said Declaratory Resolution - Old Drug Building Project;

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Vice

I, Darrell Blanton, /President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true, and correct copy of a resolution adopted by the Fort Wayne City Plan Commission at a regular meeting of said Commission held on April 25, 1977, and as the same appears of record in the official records of the said Plan Commission dated the 25th day of April, 1977.

Approved:



Vice-President of the Fort Wayne City
Plan Commission

RESOLUTION NO. 77- 14

DECLARATORY RESOLUTION
OLD DRUG BUILDING RENEWAL PROJECT

WHEREAS, the Fort Wayne Redevelopment Commission has made investigations, studies, and surveys of various blighted, deteriorated, and deteriorating areas within the City of Fort Wayne, Indiana, and of the causes contributing to the blighting and deterioration of such areas; and

WHEREAS, such investigations, studies, and surveys have been made in cooperation with the various departments and bodies of said City and have been directed toward determining the proper use of land and improvements thereon so as to best serve the interests of the City and its inhabitants, both from the standpoint of human needs and economic values, and as a result of such investigations, studies, and surveys, the Commission has found that the area hereinafter described has become blighted, deteriorated, and deteriorating to such an extent that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise, without resort to the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and that the public health and welfare would be benefited by the urban renewal of such area under the provisions of said Act; and

WHEREAS, the Commission now further finds that the area hereinafter described because of the lack of development, cessation of growth, deterioration of improvements and character of occupancy, age and obsolescence, substandard character of the buildings, and other factors which have impaired values and prevented a normal development of the land included in said area or the use thereof, has become under current conditions undesirable for or impossible of normal development and occupancy; and

WHEREAS, the Commission now further finds (a) that the hereinafter described area within said City has become and now is blighted, deteriorated, and deteriorating to such an extent within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise without resort to the provisions of said Act; (b) the public health and welfare would be benefited by the urban renewal of said area under the provisions of said Act; (c) said hereinafter described blighted, deteriorated, and deteriorating area constitutes a menace to the social and economic interests of the City of Fort Wayne and its inhabitants; and

WHEREAS, the Commission has heretofore caused to be prepared maps and plats showing the boundaries of the hereinafter described blighted, deteriorated, and deteriorating area, the location of the various parcels of property, streets, alleys, and other features affecting the urban renewal of such area, indicating any parcels of property to be excluded from the acquisition and the portions of the area which are to be devoted to streets, alleys, sewerage, playground and other public purposes under the Urban Renewal Plan;

WHEREAS, there was presented to this meeting of the Governing Body of the City of Fort Wayne, Department of Redevelopment, for its consideration and approval, a copy of Urban Renewal Plan for the area comprising the Renewal Project dated March 1977 and consisting of 6 pages and 5 exhibits.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that it hereby makes the findings of fact hereinafter set forth and that the following described area in the City of Fort Wayne, Indiana, is found and declared to be blighted, deteriorated, and deteriorating within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented)

and which area is bounded and described as follows:

Real estate located in the City of Fort Wayne,
Allen County, Indiana, being generally described
as follows:

Subdivision 1 of Lot 46 Original Plat of the
town, now the City of Fort Wayne.

BE IT FURTHER RESOLVED that in all proceedings relating
to the urban renewal of the above described area, the same shall
be referred to as the Old Drug Building Renewal Project.

BE IT FURTHER RESOLVED that the Urban Renewal Plan for
the Old Drug Building Renewal Project, dated March 1977,
and consisting of 6 pages and 5 exhibits be and the same is
hereby approved.

BE IT FURTHER RESOLVED that the Commission now declares
that the above described blighted, deteriorated, and deteriorating
area constitutes a menace to the social and economic interests of
said City and its inhabitants and that the urban renewal of such
area shown on the above described maps and plats under the provisions
of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176
of the Acts of 1953 of the General Assembly of the State of Indiana,
as Amended and Supplemented) will be of public utility and benefit,
and that the Department of Redevelopment of the City of Fort Wayne
has acquired by donation all of such land and interests therein
within said boundaries.

BE IT FURTHER RESOLVED that the urban renewal of such
area be in accordance with the Urban Renewal Plan for the Old Drug
Building Renewal Project.


BE IT FURTHER RESOLVED that a copy of this Resolution,
together with said Urban Renewal Plan and supporting data be
submitted to the City Plan Commission of Fort Wayne for examination
by that body and its determination as to whether this Declaratory
Resolution and said Urban Renewal Plan conform to the master plan
of development for said City and for its written order approving
or disapproving this Declaratory Resolution and said proposed
Urban Renewal Plan.


BE IT FURTHER RESOLVED that if an approving order is issued by said City Plan Commission, the same shall be transmitted to the Common Council of the City of Fort Wayne for its approval.

BE IT FURTHER RESOLVED that upon receipt of the written order of approval of said City Plan Commission and the approval of the Common Council of the City of Fort Wayne a notice shall be published in accordance with the requirements of Section 14 of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended, Section 48-8554 Burns Indiana Statutes Annotated, 1963 Replacement) fixing a date for the receiving and hearing of remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and for the final determination of the public utility and benefit thereof.


ADOPTED at a Regular Meeting of the Fort Wayne Redevelopment Commission held April 11, 1977 in the Board of Works Hearing Room, City-County Building, One Main Street, Fort Wayne, Indiana.

FORT WAYNE REDEVELOPMENT COMMISSION


Leonard M. Weinraub, President


Robert W. Hubner, Secretary

ATTEST:


Robert P. Turk, Executive Director

77-14

OLD DRUG BUILDING

RENEWAL PROJECT

URBAN RENEWAL PLAN:

Prepared by
Fort Wayne Redevelopment Commission
March, 1977

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OLD DRUG BUILDING RENEWAL PROJECT

SECTION A. DESCRIPTION OF PROJECT AREA

Subdivision 1 of Lot 46 original plat of the town, now the City of Fort Wayne

SECTION B. STATEMENT OF PROJECT OBJECTIVES

1. The Project will allow for the Rehabilitation of a building with historic, aesthetic and economic value to the City of Fort Wayne, thus eliminating a blighted area.
2. The Project will complement the adjacent Main Street Renewal Project (IND. R-52)
3. The Project will conform to the spirit of the Revitalization Plan for Downtown Fort Wayne and other plans for the Landing area.
4. The Project Area is within an historic district as established by Article IX of the Fort Wayne Zoning Ordinance, Chapter 36, Municipal Code, City of Fort Wayne, Indiana, 1946 (and subsequent amendments.) The project will enhance the historic district and contribute to the goals of the ordinance.

SECTION C. EXISTING GENERAL LAND USE PLAN

1. Permitted Land Uses (Exhibit "B")

The Project Area is zoned M1 (Light Industrial) which includes the following general uses:

A. Residential

- a. One-Family (R1)
- b. Two-Family (R2)
- c. Multiple-Family (R3)

B. Commercial

- a. Limited Business (B1)
- b. Regional/Neighborhood Shopping (B2-A)
- c. General Business (B3-A-B)
- d. Roadside Business (B4)
- e. Light Industrial (M1)

2. Existing Land Uses (Exhibit "C")

Land uses currently within the Renewal Area include:

a. Vacant

3. Density Requirements

None

4. Existing Circulation Pattern

The Project Area contains no circulation rights-of-way. The Area is adjacent to one major and one secondary thoroughfare. (Exhibit "D")

5. Utilities

The Project Area contains no utility lines or easements.

SECTION D. URBAN RENEWAL TECHNIQUES TO BE USED TO
ACHIEVE PROJECT OBJECTIVES

1. Rehabilitation

The structure occupying the Project Area will be prepared for disposition to a redeveloper in the following manner:

- a) Selective demolition of interior walls, partitions, ceilings and floors, except for joists, stairs and related stud walls.
- b) General and electrical construction to preserve the structure from further damage and render the structure weathertight.
- c) Roofing construction to preserve the structure from further damage and render the structure weathertight.

SECTION E. LAND DISPOSITION SUPPLEMENT

1. Specific Land Uses

The planned uses that will be allowed within the Renewal Area include:

- a. Residential
- b. Offices
- c. Limited Business (B1-B)

2. Land Use Objectives

When the Redevelopment Commission agreed to accept the Drug Building as a gift it did so not only to preserve the historic and aesthetic qualities of the Landing, but also to insure its reuse as a critical addition to the Downtown Revitalization Program.

In pursuit of these goals the Commission has established criteria for the selection of a suitable and acceptable redeveloper.

Among these criteria will be the type of reuse pattern established by the proposal. The Commission feels strongly that the goals of the Downtown Revitalization Program can only be furthered by an active Retail-Commercial reuse proposal for the first floor of the Drug Building. The proposal should offer the promise of an activity which will generate appropriate pedestrian and shopper traffic, strengthening the retail and shopping characteristics of the area. Examples of acceptable uses include: restaurant, bar, shop, boutique, etc. A first floor office-use would not seem to meet the criteria established. Office or residential uses would be acceptable for the areas above the first floor.

3. Signs

All sign proposals shall be subject to review and approval by the Department of Redevelopment, City of Fort Wayne. Signs, billboards, or signboards shall not be permitted within the Project Area except such signs relating to the business carried on under the Renewal Plan.

4. Statement of Duration

This plan, its regulations and requirements shall be in effect for fifteen (15) years from the date of its adoption by the Redevelopment Commission and other legally required agencies.

5. Waiver of Plan Controls

The Redevelopment Commission reserves the right to waive any of the regulations and controls of this plan contained herein.

SECTION F. STATEMENT OF OBLIGATIONS TO BE IMPOSED ON REDEVELOPER

1. Included with the bids to purchase the land, the developer or redeveloper must also submit the following:
 - a. Proposed site plan, scale 1" = 20'.
 - b. A statement of the proposed use for which the land is being purchased.
 - c. An architect's proposed elevations and floor plans of the finished development.
 - d. An outline specification for both building and site improvements, including exterior materials and colors.
 - e. Statement of developer or redeveloper's financial capabilities to complete the Project which shall be satisfactory to the Department of Redevelopment, City of Fort Wayne.

2. The land acquired by the Redevelopment Commission, City of Fort Wayne will be disposed of subject to an agreement between the Department and the developer or redeveloper. The developer or redeveloper will be required by the contractual agreement to observe the land use plan and these specifications. The developer or redeveloper will not be permitted to defer the start of construction for a period longer than that required for the preparation of necessary plans, their review, and approval by the Redevelopment Commission, City of Fort Wayne, and other governing agencies. In addition, the following provisions will be included in the agreement:
- a. That the developer or redeveloper will submit to the Commission a plan and schedule for the proposed development or redevelopment, as outlined under "A" above.
 - b. That the purchase of the land is for the purpose of development or redevelopment and not for speculation.
 - c. That the building or improvements will be completed within a reasonable time.
 - d. That the developer or redeveloper, their successors or assigns, agree that there will be no discrimination against any person or group of persons on account of race, creed, color, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises therein conveyed or improvements erected or to be erected thereon. The above provision will be perpetual and will run with the land disposed of within the Project area by the Redevelopment Commission, City of Fort Wayne.

3. Additional controls and restrictions of the land use provisions and building requirements may be imposed by the Department of Redevelopment, City of Fort Wayne, in its Notice to Bidders or Instructions to Bidders.

SECTION G. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

1. All provisions necessary to conform with State and Local Law have been complied with by this Plan and supporting documents.
2. Indiana Law requires that any proposed zoning changes to be set forth in the Plan.
3. A Resolution declaring the Old Drug Building Renewal Project Area as a blighted, deteriorated, or deteriorating area has been adopted initially by the Fort Wayne Redevelopment Commission.

SECTION H. PROCEDURE FOR CHANGES IN THE APPROVED URBAN RENEWAL PLAN

The Urban Renewal Plan may be modified or varied at any time by a resolution of the City of Fort Wayne Redevelopment Commission; provided, however, that any change affecting any property or contractual right vested in and by the effectuation of the Urban Renewal Plan may be made only after the Commission has received the consent to the change, in writing, from the owner of such vested right. It is further provided that if such written consent cannot be obtained or if the Redevelopment Commission deems the proposed change in the Urban Renewal Plan to be significant, then the Commission shall approve such change only in accordance with the same procedure by which the Plan was originally adopted.

PROJECT BUDGET

I.	BOUNDARY SURVEY	= \$	500
II.	ARCHITECTURAL SERVICES	=	2,500
III.	STRUCTURAL STABILIZATION	=	25,000
IV.	TEMPORARY PROPERTY OPERATION	=	500
V.	APPRAISALS FOR DISPOSITION	=	2,500
VI.	DISPOSITION EXPENSES	=	500
VII.	LEGAL NOTICES	=	100
	SUB TOTAL		31,600
	15% CONTINGENCY	=	<u>4,740</u>
	GRAND TOTAL		\$36,340

COLUMBIA ST.
(the Landing)

526

S. CALHOUN ST.

FORT WAYNE
REDEVELOPMENT
COMMISSION



DATE PROJECT TITLE

Location - Exhibit "A"

Old Drug Building
Renewal Project

Apr. 1977

SCALE 1 inch = 20 ft.
0' 10' 20'

LEGEND

----- Project bound-
-ary

COLUMBIA ST.

S. CALHOUN ST.

FORT WAYNE
REDEVELOPMENT
COMMISSION



DATE PROJECT TITLE

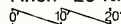
Zoning - Exhibit "B"

**Old Drug Building
Renewal Project**

Apr. 1977

SCALE

1 inch = 20 ft.



LEGEND



Project boundary

**Vacant
(4 floors)**

COLUMBIA ST.

S. CALHOUN ST.

FORT WAYNE
REDEVELOPMENT
COMMISSION



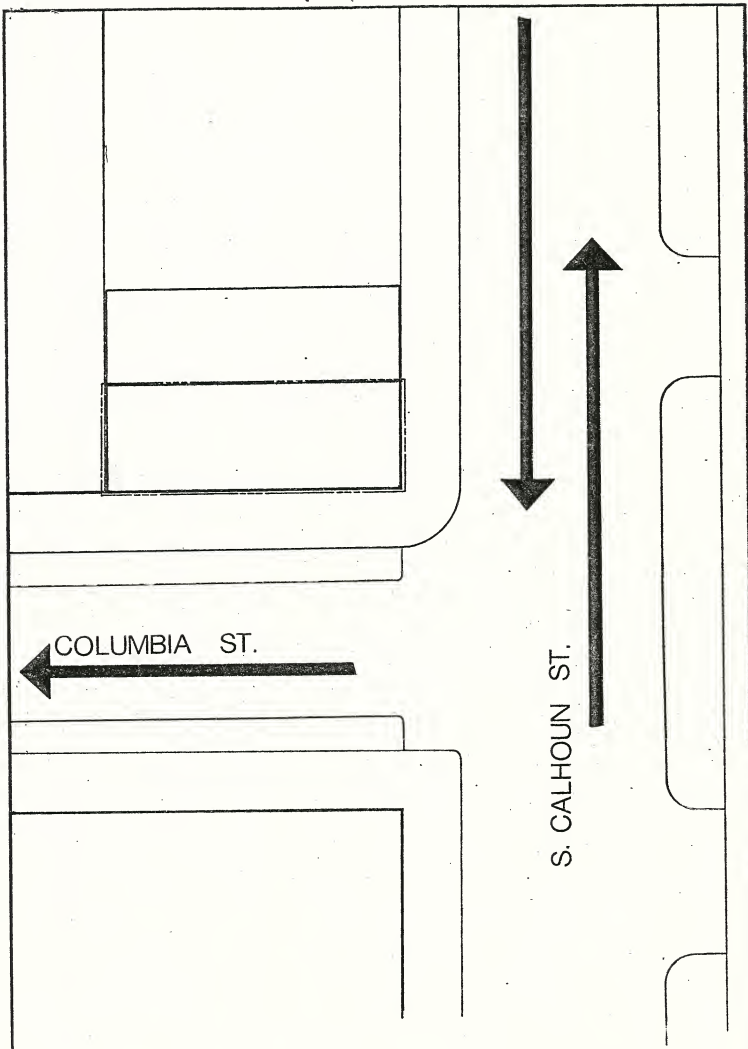
**Existing
Land Use - Exhibit "C"**

**Old Drug Building
Renewal Project**

Apr. 1977

SCALE 1 inch = 20 ft.
0' 10' 20'

LEGEND: ——— Project boundary



FORT WAYNE
REDEVELOPMENT
COMMISSION



DATE PROJECT TITLE

Circulation - Exhibit "D"

**Old Drug Building
Renewal Project**

Apr. 1977

SCALE 1 inch = 20 ft.
0' 10' 20'

LEGEND
 Traffic flow
 Project boundary

Number assigned by Bill Salin's office: _____

Admn. Appr. _____

DIGEST SHEET

Resolution No. 77-14

R-77-05-14 27

TITLE OF ORDINANCE _____ Declaratory Resolution Old Drug Building Renewal Project

DEPARTMENT REQUESTING ORDINANCE _____ CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE _____ A resolution from the City Plan Commission

pertaining to the Fort Wayne Redevelopment Commission's Resolution No. 77-14

Declaratory Resolution / Old Drug Building Renewal Project

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

Regulations